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employer to inform him of it, and, in the absence of an official of higher grade, this duty devolved on the foreman, under whom he was working, as vice principal.

[Ed. Note.—For cases in point, see Cent. Dig. vol. 34, Master and Servant, §§ 297, 298.]

Same—Fellow Servants.—A mine boss discharging the duty of the employer in furnishing to an employee engaged in mining ore as a common laborer a reasonably safe place in which to work is a vice principal, and not a fellow servant of the employee.

[Ed. Note.—For cases in point, see Cent. Dig. vol. 34, Master and Servant, §§ 429, 434.]

SULLIVAN *v.* GUM, sheriff, et al.

Nov. 22, 1906.

[55 S. E. 535.]

Acknowledgment—Bill of Sale—Sufficiency.—The acknowledgment to a bill of sale was: "On the 12th day of July, A. D. 1905, before me personally appeared William Morse, to me known and known to be the same person mentioned and described in the foregoing instrument, and he duly acknowledged to me that he executed the same. H. E. Cole, Notary Public, New York City." The Virginia statute prescribes a form of acknowledgment, and declares that a certificate to such effect shall be sufficient, and a certificate complying literally with the statute would have read: "Corporation of New York, to wit, I, H. E. Cole, a notary public for the corporation aforesaid, in the state of New York, do certify that William M. Morse, Jr., whose name is signed to the writing above, bearing date on the 27th day of June, 1905, has acknowledged the same before me, in my corporation aforesaid. Given under my hand this 12th day of July, 1905." Held, that the acknowledgment was sufficient as a substantial compliance with the statute.

[Ed. Note.—For cases in point, see Cent. Dig. vol. 1, Acknowledgment, §§ 151-172.]

BLUE RIDGE LIGHT & POWER CO. *v.* TUTWILER.

Nov. 22, 1906.

[55 S. E. 539.]

Street, Railroads—Operation—Action for Injuries—Pleading.—A declaration alleging that while the plaintiff, in the exercise of reasonable care on his part, was driving his wagon and horses along the street, where he had a right to be, defendant, a street car company, through its agents and employees, negligently ran its car against the rear end of the wagon with such force and violence as to cause the